

Duplicate Copy



DOCKET FILE COPY ORIGINAL

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

RECEIVED

NOV - 6 2002

**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

In re Petition of)	
)	
NATIONAL TRANSLATOR)	Docket No.
ASSOCIATION)	RM No.
Westminster, Colorado)	
)	
)	
For Amendment of Part 74 of the)	
Commission's Rules to Add a Rural)	
Translator Service)	

To: The Commission

PETITION FOR RULE MAKING

George R. Borsari, Jr.
Anne Thomas Paxson
Borsari & Paxson
4000 Albemarle Street, N.W.
Suite 100
Washington, DC 20016
(202) 296-4800

November 6, 2002

TABLE OF CONTENTS

Summary	1
Free Television Is Only an Urban Policy	2
Rural Translator Applications Must Be Expedited	3
Background	4
Rural Dependence on Translators	6
ABC	7
CBS	7
NBC	7
FOX	8
UPN	8
WB	9
PBS	9
Utah Model of Service	10
Cable and Satellite Services Are Not Effective Substitutes for Over-the-Air Service	11
High Definition Television	12
NTA's Proposal	14
Conclusion	19
Appendix A	
Decisionmark Study of Households Served/Unserved January 2002	
Appendix B	
State of Utah TV Translator Coverage Maps, 1996	
Appendix C	
Summary of Public Roundtable Discussion of Access to Local Broadcast Television Signals in Rural Areas	

SUMMARY

The National Translator Association proposes that the Commission amend its Rules to establish a Rural Translator Service in Part **74**. The establishment of the Rural Translator Service, and the expedited processing of traditional translator applications proposing service to rural areas, will help equalize the Commission's broadcast television policies between urban and rural areas.

For various reasons, rural America has been short-changed for more than twenty years by a Commission policy of not promoting the delivery of broadcast services to those rural areas. Authorizations for translator stations specifically established by the Commission for this purpose have been delayed or are unavailable due to, variously, processing limitations, the Commission's unreasonable reliance on window filings spaced years apart, and Rules that fail to differentiate among categories of auxiliary stations based on the nature of the service proposed.

Further, the Commission's goals of transitioning broadcast television from analog to digital service, providing for the availability and attendant benefits of high definition television, and providing for free over-the-air broadcast television, both commercial and non-commercial, can only be accomplished in rural areas by the use of translator stations. The Commission's current policies do not allow for the grant, construction, and operation of sufficient translator stations to serve the needs of rural areas. Cable cannot provide service due to the prohibitive cost of wiring sparsely populated areas, and DBS services cannot provide either high definition television or full "local into local" service because of spectrum limitations.

Rural areas are entitled to the same level of service as urban areas. The only effective way for that service to be provided is by integrating the use of translators directly into the Commission's policy process.

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In re Petition of)	
)	
NATIONAL TRANSLATOR)	Docket No.
ASSOCIATION)	RM No.
Westminster, Colorado)	
)	
)	
For Amendment of Part 74 of the)	
Commission's Rules to Add a Rural)	
Translator Service)	
To: The Commission		

PETITION FOR RULE MAKING

The National Translator Association ("NTA"), by its attorneys and pursuant to Section 1.401 of the Federal Communications Commission's Rules and Regulations,' hereby petitions the Commission to amend Part 74 ~~of~~ the its Rules² by adding a new Rural Translator Service to bring the same benefits of television service available to urban America to rural America by expediting the grant of additional rural translator stations.

NTA is an organization of owners and operators of television translator stations throughout the United States, both commercial and non-commercial, who provide quality over-the-air television service to (mostly) rural America. NTA since its inception has been concerned with the quality and the amount of radio and television programming that

¹ 47 CFR § 1.401

² 47 CFR ~~Part~~74

is available off the air to residents of rural America. NTA continues to advocate the adoption of Rules and policies designed to expand the availability to rural America of free, high quality over-the-air television programming.³

FREE TELEVISION IS ONLY AN URBAN POLICY

Free over-the-air television has been one of the bedrock principles of communications in this country, one that has largely been fulfilled in urban areas but not in rural areas. Despite the broad availability of cable television and direct broadcast satellites, the goal of providing free over-the-air television service to rural America ought still to be pursued by the Commission with the same dedication that brought free over-the-air television to all urban areas. If all of rural America were to depend solely on satellite service, and there were any interruption in that service, rural America would have no television, and rural America never would have high definition television⁴.

“Local into local”⁵ satellite-delivered broadcast service is available only in the largest markets. Thus “local into local” cannot be counted upon to provide local news or to alert viewers to actual or impending threatening situations, and the use of DMA’s, not state boundaries, compounds the problem. So-called “local” satellite-delivered stations are not necessarily those which actually deliver information most relevant to the specified area. Also, we know from experience that rural communities prefer and are more

³ Many organizations that provide translator service are small non-profit groups that buy, build, and maintain translators in very rural areas, and although they may ask for a donation or even charge a small amount each month or year to offset delivery costs, the expense to viewers is minimal compared to the cost of cable or satellite services.

⁴ The GAO recently released a report that satellites were so vulnerable to being disabled by hackers or terrorists that the control of satellites should be provided by the government.

⁵ Even the broadcast by DBS providers of local signals to local markets is spotty. The Commission recently noted that it will examine Dish TV Network’s compliance because of its practice of placing small and fringe stations on other than its principal satellite. See n.11, *infra*.

comfortable with signals from primary stations within their own state, if at all possible. Urban America has the benefit of diverse program choices afforded by satellite and cable, as well as the security and protection of free, over-the-air television

Rural America should not be denied access to the full measure of free over-the-air television comparable to that enjoyed in metropolitan areas. Such access today is restricted in many rural areas because of distance or terrain features; translators constitute a technologically simple and economically feasible means of extending over-the-air TV signals into remote and/or shielded areas. Authorization of additional rural translators could readily extend PBS service in accordance with national policy, and there are growing clusters of minority populations outside metropolitan areas that need service from primary stations directed to them.

If, as a matter of communications policy, rural America were to be rendered solely dependent on pay television services, the Commission would essentially have established two competing goals and standards. For low-income urban populations, free, over-the-air television would be the norm, but for rural America at all income levels, pay television would be required. A dual policy of requiring one segment of the public to pay for a service another segment of the public enjoys at no cost is an untenable position for the Commission and for this country.

RURAL TRANSLATOR APPLICATIONS MUST BE EXPEDITED

NTA proposes that ~~Part~~ **74** of the Commission's Rules be amended to add a new section, designated "Rural Translator **Service**."⁶ In brief, NTA proposes that those

⁶ Staffing allocation is a matter of priority choice for the Commission. The Commission can make the resources available if it chooses to quickly process these applications.

individuals and organizations proposing to provide a translator-only service to rural America receive expedited processing and grant of their applications. NTA believes that such an expedited-processing-and-grant plan would not adversely affect the processing at the Commission of non-rural translator applications, **low** power television station applications, class A television station applications, or full service applications because rural translator service would be provided in those areas with small populations (large financial returns are not available, so speculative applications would no longer be the problem they were in the August 2002 window) and minimal potential interference issues.

NTA would define a rural area for purposes of the “Rural Translator Service” as an area in which residents are unable to receive at least a grade B signal from four television stations. The determination of the ability to receive signals would be based on a combination of prediction methods. For those areas outside the predicted grade B contours of four television stations, the NTA suggests that no service be presumed. For areas within the predicted grade B contours, applicants should be able to demonstrate through the use of the “Longley Rice Terrain Dependant Population Count”(See OET 69) that actual service is not available. The NTA makes this suggestion because the FCC’s concern should be people, not area, and OET 69 calculates actual service to people.

BACKGROUND

The Commission’s policies over the last eighteen or so years can at best be held to constitute benign neglect of rural America. Whether those policies stemmed from the Commission’s budget-driven frustration over staffing required to process applications, its difficulties in designing computer programs to rapidly process applications, or its

emphasis on other policies deemed more important than rural America, the number of translators that have been authorized to serve rural America is woefully inadequate to meet the basic television needs of the rural population.

Since the adoption and creation of the Low Power Television Service, broadcast service to rural America has suffered. In **1983**, the Commission had a processing backlog of 12,000 translator and low power applications.’ Random selection was employed, but rural service was not a priority item.’ Viewed as more of a nuisance than an integral component of television broadcast service, stagnation set in, and even the random selection by lottery overburdened the system.

The Commission responded by refusing to accept applications based on need and, instead, established filing windows in which applicants for low power television stations, applicants for translator stations in urban and rural America, and applicants for translator stations that would subsequently become low power television stations in urban areas, were all filed only pursuant to a window.’ The window would open, usually with only a few months’ notice and for a short period of time; the window would close; and the Commission would spend the next few years processing those applications. It is no wonder that those seeking to provide television service to rural America, generally lacking the sophistication in communication matters of those proposing service to urban areas, would not wait with bated breath until a filing window would suddenly open. All that equipment manufacturers, consultants, and organizations seeking to support translators could tell people in rural America who wanted to obtain additional free, over-

⁷ Selection Among Competition Applicants by Random Selection, 53 RR 2d 1401, 1408 at para.18 (1983).

⁸ Id.

⁹ See 47 CFR § 73.3572 (e)(i)

the-air television service, especially as the new networks emerged, was that they would have to wait for a few more years.

Specifically, after the adoption of the window filing procedure in 1991, there was one window in 1994 in which new applications could be filed, and there was one window in 1996 in which only major changes could be filed. The next window was August 31, 2000, in which both new and major change applications could be filed, but service could not be provided to even rural areas less than 75 miles from the reference cities of the top 125 markets unless demonstrably terrain shielded.

While the total number of applications filed during the 1994 window is unavailable, there were approximately 1500 applications filed during the 1996 window, and those latter applications were limited to major changes. During the next window, in August 2000, 4,500 applications were filed. That includes some translator stations in rural America, translator stations in urbanized areas, and low power television stations in urban (and some rural) areas.

RURAL DEPENDENCE ON TRANSLATORS

NTA commissioned a study by the Decisionmark Corporation of Cedar Rapids, Iowa, examining the served and unserved areas of predicated grade B signal for ABC, CBS, NBC, FOX, WB, UPN, and PBS. The resulting study, which was completed in January 2002, differentiated between grade B service provided by full service television stations, and the grade B service that was provided by translators. A complete copy of that analysis is attached as Appendix A.

Analyzing television coverage for both main station and translators, it becomes readily apparent that the original “big three” networks, ABC, NBC, and CBS, enjoy a

very substantial advantage over UPN, WB, FOX, and PBS. One of the major causes of that advantage is the availability, or lack thereof, of over-the-air signals provided by translators to rural areas. When ABC, NBC, and CBS were the only three television networks, organizations and entities were, relatively easily, able to apply for and obtain translator stations. FOX, WB, UPN, PAX, and PBS came later, and apart from the problems that they had in obtaining full service television affiliates, the rural coverage provided by translators was miniscule. That great disparity is the direct result of the change of the Commission's policies from an open filing policy, to carefully regulated windows that restrict new service to rural areas.

ABC

Taking each of the networks, *seriatim*, it should be noted that there are 105,480,101 television households in the United States according to the 2000 Census. Of that, ABC serves 97,266,475 households or 92 percent **of** the country. Translator service makes up 3,825,121 households or 4 percent of the entire coverage of the ABC television network.

CBS

CBS serves 97,389,064 households or 92 percent of the country and, of that, 3,635,437 households are served by translators. By inspection, they are generally in the same area, with perhaps ABC having a greater presence on the east coast and CBS having a stronger translator presence in the rural west.

NBC

NBC serves 98,882,479 households or 94 percent of the country with its over-the-air signal. Of that number, 4,217,861 households are served by translators. Again by

inspection, those translators are located roughly in the same locations as are the translators for ABC and CBS.

FOX

FOX, being the newest of the large networks. and in one sense the bridge network, serves a total of 92,287,920 households, of which 5,096,186 are served by translators. It is submitted that FOX, a newcomer, was unable to obtain full service coverage on a parity with ABC, CBS, and NBC, but inasmuch as it started at a time when translator stations were still available, a proportionately larger portion of FOX network coverage is provided by translators. By inspection, they are generally in the same area as the big three networks, except that rural coverage in the west is noticeably deficient. States like Wyoming, Colorado, North and South Dakota, Idaho, Nevada, and Texas are all deficient in their ability to receive FOX **as** compared to the other three networks.

UPN

It can be seen from the analysis of the four major networks that translators play a measurable role in the free over-the-air coverage provided by those networks. It is also obvious from the maps provided in the study that a very significant portion of rural America receives its television programming via translators. The current situation, however, is markedly different for UPN and for WB. UPN serves 71,280,660 households or 68 percent of the country. Of that service, 60,834,562 are served by the main stations, with only 1,320,128 served by translators. That number is somewhat deceptive. **As** can be seen by inspection, translator service is extensive in Michigan, Illinois, the Seattle area, the New Orleans area, and in central Massachusetts. Translator service to rural

America is almost completely lacking for UPN. Or to put it differently, the vast majority of residents of rural America cannot receive the UPN television signal.

WB

The situation is slightly worse for WB. WB is available to 70,740,882 households. That represents only 67 percent of the United States. Of those households, 70,542,157 (or virtually all) receive the signal from WB full-service affiliates. Only 769,621 households receive the WB signal via translator and, by inspection, it can be seen that the service is primarily in Oklahoma City, San Francisco, and Seattle. There is almost no rural service for the WB network.

PBS

PBS programming is available to 97,083,278 households or 92 percent of the country, and of that number 6,718,381 households are served by translators. Unlike the other major networks, PBS depends on translators throughout the east, midwest, south, and west.

These maps and statistics reflect what has happened to television service in rural America as a result of the Commission's policies in the last decade. With only two filing windows in ten years, rural America has been shortchanged in its over-the-air coverage. Entities have been standing by for years to bring television service via translator to these rural areas, in many cases adding on *to* extensive translator networks.

The Commission perhaps said it best when it was considering the institution of a new service to share the band with translators, the new low power TV service. While the rulemaking was pending, the Commission was urged to suspend processing of traditional

translators in order to preserve the band for whatever new service emerged from the rulemaking. In rejecting the proposal, the Commission said:

The TV translator began in remote areas where direct television reception was difficult or impossible. In considering what to do with applications for such service during the pendency of this rule making, we began from the premise that a freeze on conventional translators – denying service to rural communities most in need ~~of~~ it – would be unconscionable.¹⁰

What was thought to be unconscionable in **1981** has in fact become the norm. Whether by design ~~or~~ neglect, when the Commission adopted the window procedure it terminated the possibility of rural America's receiving the new networks free and over the air, and denied network service to the expanding rural populations. Adopting the attitude of Marie Antoinette ("Let them eat cake"), the Commission's new slogan now could read "Let them buy television." Only when the Commission decides to require urban Americans to pay **for** their television service should rural Americans be told the same thing – and not before.

UTAH MODEL OF SERVICE

Utah is a case study in the effort to provide television service by supporting a huge translator network. Utah has rugged mountains, open plains, sparse population, and an extensive network of over 650 translators. But it too has been unable to obtain new translators in recent years, so that the extensive translator network that it now operates can only provide 2,3, ~~or~~ **4** network services to its rural constituency. Attached hereto as Appendix B are maps showing the extensive development ~~of~~ translator service in Utah.

"Memorandum Opinion and Order in BC Docket No. 78-253 (Inquiry into the Future of Low Power Television Broadcasting and Television Translators in the National Telecommunications System), 84 FCC 2d 713, 723 at para. 29 (1981)

It should not be written that rural America, if it receives 2 or 3 networks, has sufficient television, while urban America enjoys over-the-air signals from all six networks. plus extensive cable service. In many instances, cable will not serve rural America. Cable requires, for profitability, more homes per mile passed to be profitable than the rural areas afford, and cable has no public interest requirement to serve unprofitable areas. Many of the places that are served by translators and the places NTA targets with this proposed rulemaking **are** small pockets of population. Indeed, many small town cable systems depend on nearby translators for their input signals.

A regulatory policy that does not keep changing with the demographics of the country disserves the public and is directly in conflict with the FCC's mandate to serve the public interest. As the Commission over the years has limited the availability of translators in rural areas, the disparity between urban and rural levels of broadcast service has been exacerbated.

On March 2, 2000, NTIA and Congress recognized the problems of television service to rural Americans, and NTIA sponsored a roundtable discussion at the Department of Commerce among the various providers of television service to rural areas. Of all the participants in the roundtable, only the National Translator Association advocated government policies to provide free television to rural America. **All** other proposals advanced at the NTIA roundtable involved some sort of payment by subscribers. (See Appendix C, page 4)

CABLE AND SATELLITE SERVICES ARE NOT EFFECTIVE SUBSTITUTES FOR OVER-THE-AIR SERVICE

Translators are not used to deliver programming of non-broadcast services. To the extent that rural America wishes to receive ESPN or the other "cable" program services, NTA is gratified that there are (and are likely to remain) two DBS satellite services" available to rural America, and as rural America becomes more dense, cable extends even further, bringing additional programming choices. Neither the availability, however, of satellite-provided services, **or** cable-provided services (or to a much lesser extent, MMDS-provided services) can address the central problem of rural America. It is not the availability of entertainment programming that should drive the Commission in its public interest analysis, but rather the provision of locally produced non-entertainment programming that is of critical need to residents in an area. It is that locally produced programming that by and large is not available by satellite. Local news broadcasts, EAS warnings, local talk shows, local sports shows, and, yes, even local commercials all add to the richness of life in the information age. Their absence in 2002 is shocking, and the solution should be compelling.

HIGH DEFINITION TELEVISION

The availability of high definition television to rural America **is** even more problematic than the basic situation involving availability of conventional program services to rural America. Although cable at least has the capability of providing some high definition service, cable is not a significant factor in most rural **areas**. The cost of the plant versus the return on investment does not make rural America an attractive

¹¹ See Hearing Designations Order, EchoStar Communications Corporation, FCC 02-284, released October 18, 2002.

investment opportunity. The result is that the only program choices other than translators are the services provided by direct-broadcast satellite companies.

The problem is that the direct-broadcast satellite companies do not and cannot provide high definition television because of the bandwidth required. The Commission's efforts to transition the nation from an analog television service to a digital television service so far have focussed almost exclusively on urban areas. That focus on urban areas excludes even consideration of rural America. Direct-broadcast satellites do not and cannot provide more than a few high-definition television signals, because the necessary spectrum is simply not available to them.

In addition, the problem is compounded by recent actions of the Commission. In an attempt to jump-start the digital conversion, the Commission authorized most television stations to build minimal DTV facilities. Those facilities need only to serve, with a greatly reduced signal, the principal urban area. Those small facilities (which still cost television stations in the neighborhood of \$150,000, for which there is not even a prospect of a return) are likely to endure until the conversion to full-digital operation. The program completely writes off digital and high definition television service to rural America, at least until the changeover to full-digital television operations. However, it is a policy that would not have to be, if the Commission were interested in developing a transition scheme to digital television for all Americans.

One of the easiest solutions is the NTA's instant proposal. Expedite the processing of applications proposing television service to rural locations and set those as a priority. Translators are as capable of providing a high definition television signal as are

full-service television stations and, in fact, much of the equipment that will be used by full-service television stations to provide the minimal digital signals to their urban areas is in fact equipment that would be used by translators for their installations.

NTA supports the efforts by Commission staff to fashion Rules and policies for digital transmission over translators. However, the rules for digital translators will increase the urgency of the expedited process requested here. Although no formal proposals have yet been advanced, NTA members have been conducting experiments with digital television and high definition television over their facilities, and have been providing information to Commission staff in the formulation of their proposals.

NTA'S PROPOSAL

The National Translator Association specifically proposes the creation of a Rural Translator Service, in ~~Part~~ 74 of the Commission's Rules and Regulations. Recognizing that there are many legitimate users of the television band in addition to translators, NTA has tried to design a closely targeted procedure using restricted eligibility, disincentives to changing status, and physical facilities designed to reduce interference, so that the proposed Rural Translator Service targets with laser-like precision the broadcast problems, while leaving undisturbed the availability of spectrum to other legitimate users, so that both can continue their current use and can obtain new facilities in the future.

To be eligible to apply in the "Rural Translator Service" an applicant must propose a translator that will provide a signal to an unserved area and only to such an area. **An** "unserved area" is one in which residents are unable to receive at least four primary TV stations free over the air. The eligibility shall be determined based on the following definitions and criteria:

1. Rural Translator Service Area: The area within the customary protected contour of the proposed translator as defined in §74.707(a)(1), i.e., low VHF 62 dBμ, high VHF 68 dBμ, and UHF 74 dBμ.
2. Service from a Primary Station: Minimum signal Grade B value F50/50 for the frequency band involved.
 - a) If the “Rural Translator Service Area” is entirely outside the Grade B F50/50 contour of a primary station, then it shall be deemed to receive no service from such primary station
 - b) If the “Rural Translator Service Area” is partially or entirely within the Grade B contour of a primary station, the availability of service will be determined by a “Longley-Rice Terrain Dependent Population Count” in accordance with OET Bul. 69, using the F50/50 statistics and the Grade B signal value applicable to the station in question, i.e., low VHF 47 dBμ, high VHF 56 dBμ, and UHF 64 dBμ as the cut-off values. The “Rural Translator Service Area” shall be deemed to receive no service from the primary station in question if the served population is 0% of the area population, when the per cent is rounded to the nearest whole number in accordance with Commission policy for population determinations (0.499% or less rounds to 0%).

NTA also proposes that the new Rural Translator Service contain the following provisions and limitations to prevent abuse of this process and to ensure that the goals of the policy are effectuated:

PROCESSING

- expedited processing of applications
- one-day rolling window or day-by-day cutoff procedures for mutually-exclusive applications
- applicants can self certify with an ERP of one-tenth or less of the effective radiated power limitations for the type of translator requested
- a self-certified applicant can upgrade to regular **rural** status by filing a normal rural application

ELIGIBILITY

- there will be no change in present applicant eligibility
- procedures will be available only to applicants serving rural areas
- an eligible area is any area that does not receive four or more grade B signals over the air from primary stations
- using conventional ~~Part~~ **73** contour calculations or the Longley-Rice OET Bulletin 69 method to establish reception
- area to be covered is considered to be the area within the protected contour of the proposed translators
- construction permits obtained by this procedure would be valid for six months

TECHNICAL LIMITATIONS

- effective radiated power must be appropriate for the area served
- power limitations of **UHF** translators will be limited to 100 watt transmitter power output or 1 kilowatt effective radiated power

- VHF translators will be limited to 10 watt transmitter power and 100 watts effective radiated power
- input limitations will apply, including direct off-the-air for the primary station, from any other translator, or from terrestrial microwave. but not satellite feeds

PROGRAMMING REQUIREMENT

- the program material must duplicate the primary station
- a translator repeating an analog station may transmit a standard definition analog signal with the content derived from a digital companion of the primary station

MODIFICATIONS

- rural translators must preserve the modulation of the primary station
- a licensee or permittee of the special class translator can file for increase of coverage beyond the limitations of the class or change to low power status only in a regular filing window

Procedures suggested herein should not be available except in a rural area, which the NTA defines as an area that does not receive service from four or more grade B signals of primary full service stations. Although the definition of rural area is based on a geographic area rather than population, it is consistent with current Commission processing policies and its use of the city-grade, grade **A**, and grade B contour standards. It is, after all, people who watch television, not areas, and, accordingly, applicants should

be able to establish by the use of either Longley-Rice or conventional Part 73 Rules to show that grade B coverage is not available from a particular station.

The Commission has recognized that Longley-Rice is a preferred method for use in rough terrain to determine the presence or absence of an actual signal. Although predicted contours were initially developed based on average terrain, the contour-based system of the Commission has resulted in substantial inequities, inequities cured by the Longley-Rice method. Accordingly, the use of Longley-Rice terrain dependent calculations in accordance with OET Bulletin 69 is incorporated in this proposal.

The public interest requires that frequency speculators not be able to manipulate the system by applying for a rural translator and qualifying for a quick processing procedure, cutting off the rights of other parties, and then moving the translator to more urban areas. Movement of a “rural” translator should be permitted, but under the normal minor change rules and with the proviso that the requirements of the Rural Translator Service are still met.

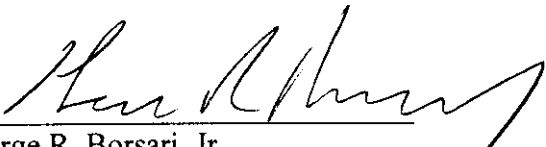
NTA also proposes that transmitter power output be limited as proposed. The NTA believes that limiting the transmitter power output will have the effect of requiring applicants to tailor their rural translator designs to actual rural areas, and it reduces the possibility that frequency speculators will attempt to use the streamlined rural translator processing procedures for other than rural translators. It is **the** NTA’s reasoning that the suggested power limits are sufficient because rural areas tend to be small pockets of population, and **we** accept these power limits in return for **the** preferred processing requested in this petition.

CONCLUSION

There is a critical need for more translator stations in rural America in order to provide truly local service, high definition television. and free over-the-air television to rural America commensurate with the service provided to urban America. The Commission is urged to commence a **rule** making proceeding as herein requested.

Respectfully submitted

NATIONAL TRANSLATOR
ASSOCIATION

By 
George R. Borsari, Jr.
Anne Thomas Paxson

Its Attorneys

Borsari & Paxson
4000 Albemarle Street, N.W.
Suite 100
Washington, DC 20016
(202)296-4800

November 6, 2002